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## REMARKS/ARGUMENTS

## Claim Rejections – 35 USC 103

Examiner has rejected Claims 1-3, 9-11, 14, 15, 19-21, 25-27, 33-35, and 42-43 under 35 USC 103(a) as being anticipated by Reich and further in view of Stylli. In the rejection, Examiner notes that

Stylli discloses a storage rack comprising a plurality of vertically aligned storage slots for vertically storing a plurality of trays. ... Stylli further discloses a storage gantry for vertical and horizontal movement of said plurality of trays between said storage rack and said at least one automated machine, where said storage gantry being adopted to remove a tray from any one of said plurality of vertically aligned storage slots and to return a tray to any one of said plurality of vertically aligned storage slots....; automated storage gantry – chemical well retriever (robotic means) for retrieving and storing the plates selectively at the addressable locations) and Stylli further discloses the placement of these plates on a conveyor to send it to at least one automated machine. ... Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Reich's invention in view of Stylli ...

In response, Applicant has amended independent Claim 1 to include the following limitation:

a storage gantry for vertical and horizontal movement of said plurality of trays between said storage rack and said at least one automated machine, said storage gantry being adopted to *remove trays one-at-a-time from any one of said plurality of vertically aligned storage slots, transport the removed tray to said at least one automated machine, remove trays one-at-a-time from said at least one automated machine, and to return the removed tray to any one of said plurality of vertically aligned storage slots...* (emphasis added)

In contrast, Stylli's chemical well retriever (aka, robotic means) does not accomplish the claimed limitation. Instead Stylli's chemical well retriever only transports the plates to a conveyor belt system. It is then the function of the conveyor belt system to transport the plates to an automated machine.

In comparison to the efficiency of Applicant's storage gantry, Stylli's conveyor belt system is particularly complicated and subject to error. Stylli's conveyor system is referred to as sample transporter 310 and is shown in Stylli's FIG. 5. It further includes 4

separate belts (queuing lane 311, passing lane 312, passing lane 313 and queuing lane 314). Every time there is a transfer from one transport mechanism to another, there is a possibility of failure. For example, failure can occur between the transfers of Stylli's plate from: 1) chemical well retriever to the queuing lane 311, 2) from the queuing lane 311 to passing lane 312, 3) from passing lane 312 to queuing lane passing lane 313, and 4) from passing lane 313 to queuing lane 314.

By dispensing of an unnecessary, complicated and error prone conveyor belt system between the storage gantry and the automated machine, Applicant has greatly simplified his device. There is less likelihood that a tray or plate will become improperly positioned or dropped because Applicant's device does not include a conveyor belt. By only utilizing a storage gantry to transport the trays between the storage rack and the automated machines, Applicant is exercising greater control over the trays and minimizing the amount of transfer that must occur between devices. In contrast, Stylli's device and other similar conveyor belt type systems are prone to error and failure.

#### Other Claim Rejections – 35 USC 103 and 35 USC 102

Independent Claims 14, 25, 38, 39 and 40 are similarly limited as described above in reference to Claim 1 and should likewise be allowable. Claim 1 and Claims 14, 25, 38, 39 and 40 should now all be allowable for the reasons stated above. All other claims are dependent on claims that should now be allowable and therefore these claims should be allowable as well.

#### New Claims

Applicant has added new claims 44 – 47. These claims include limitations not disclosed in the prior art and should be allowable.

#### Conclusion

Thus, for all the reasons given above, this application, as the claims are presently limited, defines a novel, patentable, and truly valuable invention. Hence allowance of all

outstanding claims in this application is respectfully submitted to be proper and is respectfully solicited.

Respectfully Submitted,



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